

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-1059

XO COMMUNICATIONS, INCORPORATED,

Plaintiff - Appellee,

versus

TERRA TELECOMMUNICATIONS CORPORATION; WORLD
ACCESS COMMUNICATIONS CORPORATION,

Defendants - Appellants.

Appeal from the United States District Court for the Eastern
District of Virginia, at Alexandria. James C. Cacheris, Senior
District Judge. (CA-02-1578-A)

Submitted: June 11, 2003

Decided: June 25, 2003

Before WILKINSON, LUTTIG, and MICHAEL, Circuit Judges.

Affirmed by unpublished per curiam opinion.

Robert J. Cunningham, Jr., Fairfax, Virginia, for Appellants. John
A. Fraser, III, Reston, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Terra Telecommunications Corp. and its subsidiary, World Access Communications Corp., appeal the district court's order granting a motion by XO Communications, Inc., to compel arbitration.* We have reviewed the record and find no reversible error. Accordingly, we affirm for the reasons stated by the district court. See XO Communications, Inc. v. Terra Telecomm. Corp., No. CA-02-1578-A (E.D. Va. filed Nov. 25, 2002 & entered Nov. 29, 2002). We deny Defendants' motion requesting this court to consider additional materials not before the district court. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

* We have jurisdiction over the appeal because "an order compelling arbitration and dismissing the underlying claims is 'a final decision with respect to an arbitration,' 9 U.S.C.[] § 16(a)(3) [(2000)], which is immediately appealable." Murray v. United Food & Commercial Workers, 289 F.3d 297, 305 (4th Cir. 2002).